

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 29, 2021**

**SECOND REGULAR SESSION**  
**January 5, 2022 to May 9, 2022**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 8, 2022**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2022**

of the premises to be served or that the grant will be used to construct or expand an open-access network.

**Sec. 5. Water district charter language; development.** The ConnectMaine Authority, as established by the Maine Revised Statutes, Title 35-A, section 9203, in consultation with the Public Utilities Commission and the Office of the Public Advocate, shall develop standard charter provisions that may be used by a water district to help it develop a legislative proposal to amend its charter to operate broadband or other Internet access systems or to provide broadband or other Internet access services to the public. Once the standard charter provisions are developed, the authority shall make them available to the public and may provide to any water district assistance in adapting the standard charter provisions to address the needs of the water district.

See title page for effective date.

## CHAPTER 617

### H.P. 292 - L.D. 408

#### **An Act To Update Dates and Committees of Jurisdiction for the State Government Evaluation Act Review of Agencies**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 3 MRSA §959, sub-§1**, as amended by PL 2019, c. 378, §§1 and 2, is further amended to read:

**1. Scheduling guidelines.** Except as provided in subsection 2, reviews of agencies or independent agencies must be scheduled in accordance with the following. Subsequent reviews must be scheduled on an ongoing basis every 8 years after the dates specified in this subsection.

A. The joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters shall use the following list as a guideline for scheduling reviews:

- (1) Baxter State Park Authority in ~~2017~~ 2025;
- (2) Board of Pesticides Control in ~~2019~~ 2027;
- (3) Wild Blueberry Commission of Maine in ~~2019~~ 2027;
- (4) Maine Dairy and Nutrition Council in ~~2015~~ 2023;
- (5) Maine Dairy Promotion Board in ~~2015~~ 2023;
- (6) Maine Milk Commission in ~~2015~~ 2023;

(7) State Harness Racing Commission in ~~2015~~ 2023;

(8) Maine Agricultural Bargaining Board in ~~2017~~ 2025;

(9) Department of Agriculture, Conservation and Forestry in ~~2017~~ 2025; and

(10) Land for Maine's Future Board in ~~2015~~ 2023.

B. The joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters shall use the following list as a guideline for scheduling reviews:

(1) State Employee Health Commission in ~~2017~~ 2025; and

(2) Department of Professional and Financial Regulation, in conjunction with the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business and economic development matters, in ~~2015~~ 2023.

C. The joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business, research and economic development matters shall use the following list as a guideline for scheduling reviews:

(1) Maine Development Foundation in ~~2021~~ 2029;

(5) Department of Professional and Financial Regulation, in conjunction with the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters, in ~~2015~~ 2023;

(19) Department of Economic and Community Development in ~~2021~~ 2029;

~~(23) Maine State Housing Authority in 2015;~~

(32) Finance Authority of Maine in ~~2017~~ 2025; and

(45) State Board of Registration for Professional Engineers in ~~2019~~ 2027.

D. The joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters shall use the following list as a guideline for scheduling reviews:

(1) Department of Public Safety, except for the Emergency Services Communication Bureau, in ~~2015~~ 2023;

(2) Department of Corrections in ~~2019~~ 2027; and

(3) The Maine Emergency Management Agency within the Department of Defense,

Veterans and Emergency Management in ~~2015~~ 2023.

E. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs shall use the following list as a guideline for scheduling reviews:

- (2) Department of Education in ~~2021~~ 2029;
- (2-A) State Board of Education in ~~2021~~ 2029;
- (3) Maine Arts Commission in ~~2015~~ 2023;
- (5) Maine Historic Preservation Commission in ~~2015~~ 2023;
- (5-A) Notwithstanding section 952, Maine Historical Society in ~~2015~~ 2023;
- (6) Maine Library Commission in ~~2015~~ 2023;
- (6-A) Maine State Cultural Affairs Council in ~~2015~~ 2023;
- (6-B) Maine State Library in ~~2015~~ 2023;
- (6-C) Maine State Museum in ~~2015~~ 2023;
- (7) Maine State Museum Commission in ~~2015~~ 2023;
- (8) Office of State Historian in ~~2015~~ 2023;
- (9) Board of Trustees of the Maine Maritime Academy in ~~2017~~ 2025;
- (10) Board of Trustees of the University of Maine System in ~~2017~~ 2025;
- (12) Maine Community College System in ~~2017~~ 2025; and
- (13) Maine Health and Higher Educational Facilities Authority in ~~2019~~ 2027.

F. The joint standing committee of the Legislature having jurisdiction over health and human services matters shall use the following list as a guideline for scheduling reviews:

- (6) Department of Health and Human Services in ~~2017~~ 2025;
- (7) Board of the Maine Children's Trust Incorporated in ~~2019~~ 2027; and
- (9) Maine Developmental Disabilities Council in ~~2019~~; and 2027.
- ~~(10) The bureau or division within the Department of Administrative and Financial Services that administers and enforces the Maine Medical Use of Marijuana Act in 2025.~~

G. The joint standing committee of the Legislature having jurisdiction over inland fisheries and wild-life matters shall use the following list as a guideline for scheduling reviews:

(1) Department of Inland Fisheries and Wildlife in ~~2015~~ 2023; and

(2) Advisory Board for the Licensing of Taxidermists in ~~2015~~ 2023.

H. The joint standing committee of the Legislature having jurisdiction over judiciary matters shall use the following list as a guideline for scheduling reviews:

- (2) Maine Human Rights Commission in ~~2017~~ 2029;
- (3) Maine Indian Tribal-State Commission in ~~2019~~ 2027; and
- (4) Department of the Attorney General in ~~2019~~ 2027.

I. The joint standing committee of the Legislature having jurisdiction over labor matters shall use the following list as a guideline for scheduling reviews:

- (2) Department of Labor in ~~2015~~ 2023;
- (3) Maine Labor Relations Board in ~~2017~~ 2025; and
- (4) Workers' Compensation Board in ~~2017~~ 2025.

J. The joint standing committee of the Legislature having jurisdiction over ~~legal and veterans~~ veterans and legal affairs shall use the following ~~schedule~~ list as a guideline for scheduling reviews:

- (2) State Liquor and Lottery Commission in ~~2015~~ 2023;
- (3) The Department of Administrative and Financial Services with regard to the enforcement of the law relating to the manufacture, importation, storage, transportation and sale of all liquor and the laws relating to licensing and the collection of taxes on malt liquor and wine in ~~2015~~ 2023; and
- (4) Department of Defense, Veterans and Emergency Management in ~~2019~~ 2027, except for the Maine Emergency Management Agency within the department.

K. The joint standing committee of the Legislature having jurisdiction over marine ~~resource~~ resources matters shall use the following list as a guideline for scheduling reviews:

- (1) Atlantic States Marine Fisheries Commission in ~~2021~~ 2029;
- (2) Department of Marine Resources in ~~2021~~ 2029; and
- (4) Lobster Advisory Council in ~~2015~~ 2023.

L. The joint standing committee of the Legislature having jurisdiction over environmental and natural resource resources matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Environmental Protection in ~~2017~~ 2025;
- (2) Board of Environmental Protection in ~~2017~~ 2025;
- (4) Saco River Corridor Commission in ~~2024~~ 2029; and
- (5) Board of Underground Oil Tank Installers in ~~2019~~ 2027.

M. The joint standing committee of the Legislature having jurisdiction over state and local government matters shall use the following list as a guideline for scheduling reviews:

- (1) Capitol Planning Commission in ~~2019~~ 2027;
- (1-A) Maine Governmental Facilities Authority in ~~2021~~ 2029;
- (2) State Civil Service Appeals Board in ~~2021~~ 2029;
- (3) State Claims Commission in ~~2021~~ 2029;
- (4) Maine Municipal Bond Bank in ~~2015~~ 2023;
- (5) Office of the Treasurer of State in ~~2015~~ 2023;
- (6) Department of Administrative and Financial Services, except for the Bureau of Revenue Services and the bureau or division within the department that administers and enforces the Maine Medical Use of Marijuana Act, in ~~2019~~ 2027; and
- (7) Department of the Secretary of State, except for the Bureau of Motor Vehicles, in ~~2019~~ 2027.

N. The joint standing committee of the Legislature having jurisdiction over taxation matters shall use the following schedule list as a guideline for scheduling reviews:

- (1) State Board of Property Tax Review in ~~2019~~ 2027; and
- (2) Department of Administrative and Financial Services, Bureau of Revenue Services in ~~2019~~ 2027.

O. The joint standing committee of the Legislature having jurisdiction over transportation matters shall use the following schedule list as a guideline for scheduling reviews:

- (1) Maine Turnpike Authority in ~~2021~~ 2029;

(2) The Bureau of Motor Vehicles within the Department of the Secretary of State in ~~2015~~ 2023;

(3) The Department of Transportation in ~~2017~~ 2025; and

(4) Maine State Pilotage Commission in ~~2017~~ 2025.

P. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall use the following list as a guideline for scheduling reviews:

(1) Public Advocate in ~~2019~~ 2027;

(2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in ~~2015~~ 2023;

(3) Public Utilities Commission, including the Emergency Services Communication Bureau, in ~~2021~~ 2029; and

(5) Telecommunications Relay Services Council in ~~2017~~ 2025.

Q. The joint standing committee of the Legislature having jurisdiction over retirement matters shall use the following list as a guideline for scheduling reviews:

(1) Maine Public Employees Retirement System in ~~2021~~ 2029.

R. The joint standing committee of the Legislature having jurisdiction over professional licensing of health care professions matters shall use the following list as a guideline for scheduling reviews:

(1) Board of Dental Practice in ~~2019~~ 2027;

(2) Board of Osteopathic Licensure in ~~2019~~ 2027;

(3) Board of Licensure in Medicine in ~~2019~~ 2027;

(4) State Board of Nursing in ~~2019~~ 2027; and

(5) State Board of Optometry in ~~2019~~ 2027.

S. The joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters shall use the following list as a guideline for scheduling reviews:

(1) The bureau or division within the Department of Administrative and Financial Services that administers and enforces the Maine Medical Use of Marijuana Act in 2025.

T. The joint standing committee of the Legislature having jurisdiction over housing matters shall use the following list as a guideline for scheduling reviews:

(1) Maine State Housing Authority in 2023.

**Sec. 2. 3 MRSA §963**, as amended by PL 2013, c. 505, §2, is further amended to read:

**§963. Review**

The joint standing committee of the Legislature having jurisdiction over state and local government matters shall review the provisions and effects of this chapter no later than ~~June 30, 2022~~ March 30, 2032 and at least once every 10 years ~~after June 30, 2022~~ thereafter. The committee may report out legislation during the session of the Legislature in which a review under this section is completed.

See title page for effective date.

**CHAPTER 618**

**H.P. 608 - L.D. 840**

**An Act To Prevent Power Line  
Electrocutions**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 35-A MRSA §760**, as enacted by PL 1995, c. 348, §1, is amended to read:

**§760. Indemnification Liability**

A person is liable to the owner or operator of the overhead high-voltage line and 3rd parties, if any, for all or part of the damages to facilities; and injuries to persons and all or part of the costs, expenses and liabilities incurred by the owner or operator of the overhead high-voltage lines and 3rd parties, if any, as a result of any contact with an overhead high-voltage line if the person causes, permits or allows any work or activity in violation of a provision of this chapter and, as a result, a physical or electrical contact with an overhead high-voltage line occurs. The allocation of damages must be based on the comparative negligence of the parties as set forth in Title 14, section 156, except that employers of injured persons are immune from payment of damages to the extent provided under the Maine Workers' Compensation Act of 1992.

See title page for effective date.

**CHAPTER 619**

**H.P. 1062 - L.D. 1446**

**An Act To Aid Municipalities  
in the Issuance of Concealed  
Handgun Permits**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 25 MRSA §2002, sub-§9**, as amended by PL 2011, c. 366, §5, is further amended to read:

**9. Issuing authority.** "Issuing authority" means the following:

A. To a legal resident of a municipality with a full-time chief of police:

(1) ~~The mayor and~~ Except as otherwise provided in this paragraph, the municipal officers or councilors of a city, the municipal officers or councilors of a town or the assessors of a plantation or, if they so choose, their full-time chief of police as their designee of the municipality; or

(2) ~~The Chief of the State Police as the designee of the municipal officers under section 2002-A;~~

(3) The chief of police of the municipality if the municipal officers of the municipality designate the chief as the issuing authority;

(4) The chief of police of an adjacent municipality if the municipal officers of the municipality designate the chief as the issuing authority and the chief agrees to the designation in accordance with section 2002-B; or

(5) The sheriff of the county where the municipality is located if the municipal officers of the municipality designate the sheriff as the issuing authority and the sheriff agrees to the designation in accordance with section 2002-B;

A-1. To a legal resident of a municipality without a full-time chief of police:

(1) Except as otherwise provided in this paragraph, the municipal officers of the municipality;

(2) The chief of police of an adjacent municipality if the municipal officers of the municipality designate the chief as the issuing authority and the chief agrees to the designation in accordance with section 2002-B;

(3) The sheriff of the county where the municipality is located if the municipal officers of the municipality designate the sheriff as the issuing authority and the sheriff agrees to the designation in accordance with section 2002-B; or

(4) The Chief of the State Police if the municipal officers of the municipality designate the chief as the issuing authority and the chief agrees to the designation in accordance with section 2002-A;

B. To a resident of an unorganized territory:

(1) The Chief of the State Police;

C. To a nonresident: